

CLASSIFICATION OFFICE DECISION

Title of publication: 26.jpg

Other known title(s): Not stated

OFLC ref: 802187

Medium: Computer Image File

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Commissioner of Police

Classification:	Objectionable.
------------------------	----------------

Descriptive note: None

Display conditions: None

Date of entry in Register: 21 April 2009

Date of direction to issue a label: No direction to issue a label has been issued

Summary of reasons for decision:

The computer image file is objectionable because it promotes and supports the exploitation of children for sexual purposes.

The file depicts a man involving a young girl in sexual activity. The image has been deliberately constructed for sexual titillation and arousal. It encourages adults to see young children as sexually desirable and available for sexual gratification. The effect is to validate a sexual interest in children and encourage their sexual exploitation.

The classification of this publication interferes with the right to freedom of expression set out in the New Zealand Bill of Rights Act 1990. However, this is an outcome that is consistent with Parliament's clear intention in s3(2) of the Films, Videos, and Publications Classification Act 1993. The classification is a reasonable limitation on the freedom of expression that reflects the concern of a free and democratic society to limit the availability of publications that promote and support the exploitation of children for sexual purposes.